



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142

WASHINGTON, WEDNESDAY, MARCH 13, 1996

No. 34

Senate

The Senate met at 9:15 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, Your power is given in direct proportion to the pressures and perplexities we face. This gives us great courage and confidence. You give more strength as the burdens increase; You entrust us with more wisdom as the problems test our endurance. You never leave or forsake us. Your love has no end and Your patience no breaking point.

Today, we affirm what You have taught us: You have called us to supernatural leadership empowered by Your spiritual gifts of wisdom, knowledge, discernment, and vision. You press us beyond our dependence on erudition and experience alone. Thank You for challenges that help us recover our humility and opportunities that force us to the knees of our hearts.

Bless the women and men of this Senate. You have given them the awesome responsibility of being attentive to You and obedient in following Your guidance for our beloved Nation. Give them that sure sense of Your presence and the sublime satisfaction of knowing and doing Your will. Replenish their strength, renew their hope, and refresh them with Your grace. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The distinguished Senator from Missouri is recognized.

SCHEDULE

Mr. BOND. Mr. President, on behalf of the majority leader I would like to

announce that today there will be a period for morning business until the hour of 9:30 a.m., with Senators permitted to speak for up to 5 minutes each with the following exception: Senator BOND for up to 10 minutes.

At 9:30, the Senate will resume consideration of the continuing appropriations bill. At that time there will be 30 minutes of debate between Senators HUTCHISON and REID regarding the pending endangered species amendments. Following that debate, those amendments will be set aside and Senator DOLE will be recognized to offer an amendment.

Under a previous order, at 1 p.m. the Senate will begin 1 hour of debate on the motion to proceed to the Whitewater Committee resolution with a cloture vote beginning at 2 p.m. Following that cloture vote, there will be a vote on the motion to table the Hutchison amendment to the continuing resolution. Senators should be reminded of those votes beginning at 2 p.m., and Senators should be aware that a late night session is possible in order to complete action on that measure.

It is also hoped that the Senate may still reach an agreement with respect to the small business regulatory relief bill.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. INHOFE). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to a period for the transaction of morning business until the hour of 9:30 a.m., with Senators permitted to speak up to 5 minutes with the following exception: Senator BOND is recognized to speak for up to 10 minutes.

The Senator from Missouri is recognized.

Mr. BOND. I thank the Chair.

(The remarks of Mr. BOND pertaining to the introduction of S. 1610 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BOND. Mr. President, I yield the floor.

Mrs. HUTCHISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD MARKETING POLICY INSTITUTE'S MISDIRECTED PRIORITIES

Mr. GRAMS. Mr. President, yesterday a mock hearing for the press was hosted by Congressmen SCHUMER and GEJDENSON, along with Prof. Ronald Cotteril, director of the Food Marketing Policy Institute at the University of Connecticut. The topic was price collusion in the cereal market, a charge which has not been proved over the past 20 years.

After review of all of the evidence which refutes the collusion theory, I find it difficult to understand why the three continue this curious drama.

I would like to present to my colleagues some history on this issue, which began with the dismissal of an antitrust complaint by the Federal Trade Commission after 10 years of tedious and costly examination of the industry by the FTC.

Last year Federal Judge Kimba Wood, former nominee for Attorney General during the Clinton administration, rejected an antitrust suit brought

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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by the State of New York to prevent the Post Co. from buying Nabisco Shredded Wheat.

Judge Wood indicated at the time that the cereal industry was "highly competitive." She indicated that there was no collusion, and no one company was able to control prices in any market segment. She characterized the testimony of the State's star witness, Professor Cotteril, one of the hosts of today's mock hearing, as "unreliable," "flawed," and "erroneous."

Last year Congressman SCHUMER and GEJDENSON asked the Justice Department to initiate a criminal investigation into cereal prices. Justice declined the case, based on Judge Wood's decision.

Judge Wood has also noted in her decision that cereal prices rose only 6.6 percent between 1989 and 1993, while food prices rose 12.8 percent and the cost-of-living index rose 16.5 percent. Widespread use of coupons lowers the average retail price by 30 percent. Further, Judge Wood found that industry concentration declined about 27 percent between 1970 and 1994 and that store brand cereals' market share rose to 9 percent in 1993 from 4.8 percent in 1988. This trend is expected to double in the next 3 to 4 years, surpassing the market share of three of the five manufacturers.

Judge Wood also noted little brand loyalty among consumers. She also indicated that retailers may have had more to do with increasing prices. In 1994, one producer reduced its prices 40 percent, yet less than two-thirds of this price cut was passed on to consumers.

Anyone who has been in a grocery store recently knows that the range of options and prices is nearly overwhelming. Imports are adding new competition. Cereal manufacturers not only compete head on but also with other breakfast alternatives, which are also proliferating significantly. The business climate is hardly ripe for price collusion. It is hard to understand why a trend toward more competition and price increases well under cost of living increases would encourage the two Congressmen and Professor Cotteril to continue these efforts.

Professor Cotteril's Food Marketing Policy Institute has received earmarked funds from the Congress for quite a few years. If this is an example of its priorities, I believe the Congress should reconsider funding this institute.

I look forward to this debate as we pursue the fiscal 1997 appropriations.

CHAPLAIN OGILVIE'S 1-YEAR ANNIVERSARY

Mr. HATFIELD. Mr. President, a year ago today, my good friend, Dr. Lloyd Ogilvie joined the Senate family by becoming the 61st Senate Chaplain. I was fortunate to have known him before he became the Chaplain and now 99 other Senators have had the oppor-

tunity to be enriched by his friendship. But it is not just Senators who have been fortunate to experience the ministry of Chaplain Ogilvie. Following the example of his predecessor, Richard Halverson, Dr. Ogilvie has ministered to everyone he encounters.

I cannot speak for all of my colleagues, but I have thoroughly enjoyed Dr. Ogilvie's morning invocations. It is one of the highlights of my day. Each prayer is a poetic weaving of theological wisdom and spiritual encouragement. When I hear the Chaplain's resonant voice, I feel as if the Heavenly Father himself has entered our midst and is speaking to us here on the Senate floor. The Chaplain has the voice of God, but he is also a man after God's own heart. He has said that he sees himself as an intercessor for the Senators, and I know that he is faithful in his prayers for this body and its Members.

I have appreciated Dr. Ogilvie's careful efforts to keep the chaplaincy non-partisan, nonpolitical, and non-sectarian. His concern is genuine and he ministers indiscriminately to all who need encouragement. He is keenly aware of the spiritual needs of this body, and he makes himself readily available to address those needs.

We are fortunate to have Dr. Ogilvie among us. While I know that Dr. Ogilvie feels a special calling to his ministry as Chaplain, he has made some sacrifices to be with us. Before becoming chaplain, Dr. Ogilvie was a prolific writer, authoring over 40 books. This literary passion has taken a backseat to the pressures of the Senate. But you will hear no complaints from the Chaplain. He is engaged in his new ministry and he is committed to his new parish.

I want to congratulate the Chaplain for his year anniversary and thank him for his invaluable ministry. I am grateful for what he has done for us in the past year and I am excited about the many years ahead.

ON THE RETIREMENT OF DETECTIVE CHARLES J. BENNETT

Mr. MOYNIHAN. Mr. President, some while ago, the New York Historical Society conceived the notion of collecting holograph accounts of notable events in our city from contemporary New Yorkers, and thereafter auctioning them off to help with the expenses of that venerable institution. I was asked to participate and was happy to do. As would anyone my age, I have all manner of memories of our city, going back, for example, to December 7, 1941, when I learned about Pearl Harbor from a man whose shoes I was shining on the corner of Central Park West and 81st Street, across from the Planetarium. I do not really recall what I thought about all that; all I do recall for certain is that when I got home later in the day, the regular radio programming had been interrupted by bulletins from the Pacific. Between bul-

letins, the station played martial music. Well, sort of martial music. It seemed the only such record they had on was the "fight song," as they say, of the Fordham football team.

Pearl Harbor brought war to the United States but only seemed to enhance the greatness of our city. At war's end, it seemed only natural that New York should be chosen as the site of the headquarters of the United Nations, the victorious alliance that won that war.

The years since have not been so generous. At times, they have been ominous, putting our city in peril in a way world war never did, albeit much of the peril has come from abroad.

I thought of this matter, and, of a sudden, knew the event I would relate—with a penmanship that would mortify the brothers to this day. Here is what I wrote, on New Year's Day, 1995.

Early in 1985, I flew up from Washington to New York. As is our custom, I was met by Detective "Chuck" Bennett of the N.Y.P.D. On our way into town we discussed events of the day. BENNETT, with a detective's eye, commented that men were appearing on street corners snapping their fingers for no apparent reason. Two month's later he reported that they were selling something called "crack," the finger snapping being a form of street cry. It remained for Douglas Hurd, then British Home Secretary, to visit New York and tell our Drug Enforcement Agency that a new form of cocaine, which had appeared in the Bahamas in 1983, was known as "crack" and was spreading. The Plague had reached New York.

Charles Joseph Bennett, the detective who had met me at LaGuardia, was and remains a preternaturally subtle, observant, normally silent, at times near-to-invisible presence on our city streets for near quarter of a century. For 20 of those years, he has been keeping me out of harm's way. Not an easy thing to do, for public figures in our time are commonly threatened, sometimes openly, sometimes not. It has been his lot to assess the threats involved, first having learned of them or divined them. It was in this latter gift that "Chuck" excelled. Be it a U.S. Senator, the least of his worries, a head of state, a peace delegation, a terrorist infiltrator, a building, a bridge, a tunnel, there has been no threat of violence or subversion or sedition in a quarter century that he has not been involved with or aware of.

His personal qualities are legendary. Affable until the moment of danger when he can be terrifying; near-to-invisible until he must make everyone in the room stop instantly and do as he says; self-effacing, funny, deadly serious. It may seem an unusual quality for an officer of a very old organization, set in its ways and fixed in place, but "Chuck" Bennett has proved an extraordinarily adept ambassador. First with our own law enforcement organizations such as the Federal Bureau of Investigation and the Capitol Police here in Washington, but notably also with foreign detective forces, ranging